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ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/2/2022

November 1, 2022

BY E-MAIL

The Honorable Analisa Torres
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Anthony Delgado*, 22 Cr. 426

Dear Judge Torres:

The Government writes to request an adjournment of the pretrial conference in the above-referenced matter, which was originally scheduled for today. Defense counsel has recently informed the Government that the defendant intends to change his plea and enter a plea of guilty. In order to facilitate that change of plea, the Government will prepare a letter pursuant to *United States v. Pimentel*, 932 F.2d 1029, 1034 (2d Cir. 1991), setting forth the Government's position regarding the application of the United States Sentencing Guidelines to the defendant. To provide the Government with time to prepare the *Pimentel* letter, and defendant with time to review it, the parties request that the conference that was scheduled for today be rescheduled for December 6, 2022 at 10:20 a.m., which the Government understands is convenient for the Court.

The Government also respectfully requests that the time between today and the rescheduled conference be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Government respectfully submits that the ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, as the proposed exclusion will allow the Government time to prepare the above-discussed *Pimentel* letter and the defendant time to review it, and will otherwise permit the parties to engage in discussions to resolve this matter pretrial. Defense counsel has informed me that he consents to this request.

The Court shall hold a plea hearing for Defendant, Anthony Delgado, Jr., on **December 6, 2022, at 10:20 a.m.** in Courtroom 15D of the United States Courthouse, 500 Pearl Street, New York, New York 10007.

It is further ORDERED that the time from November 1, 2022, through December 6, 2022, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the ends of justice served by excluding such time outweigh the interests of the public and Defendants in a speedy trial in that this will allow time for the Government to prepare a *Pimentel* letter and Defendant to review it, as well as permit the parties to engage in discussions to resolve this matter pretrial.

SO ORDERED.

Dated: November 2, 2022
New York, New York

ANALISA TORRES
United States District Judge